CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE EIGHT HUNDRED AND NINTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 21 January 1999, at 10.15 a.m.

President Mr. Grey (United States of America)

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The PRESIDENT: I declare open the 809th plenary meeting of the Conference on Disarmament.

At the outset, I should like to extend on behalf of the Conference, and on my own behalf, a warm welcome to our distinguished visitors today, the Under-Secretary of State for Foreign Affairs of Italy, Her Excellency Senator Patrizia Toia, and Mr. John Holum, Acting Under-Secretary of State for Arms Control and International Security Affairs and Director of the United States Arms Control and Disarmament Agency, who will be addressing our Conference today. Their presence among us today is yet another testimony of the continued interest of their Governments in the multilateral approach to arms control and disarmament and the importance they attach to our Conference. I am sure that their statements will be followed with great interest.

Besides the Under-Secretary of State for Foreign Affairs of Italy and the Director of the United States Arms Control and Disarmament Agency, I have on my list of speakers for today the representatives of Romania and Peru.

Once we have heard the speakers inscribed for today, I intend to take up for decision the requests from Albania, Angola, Armenia and the Libyan Arab Jamahiriya for participation in the work of the Conference as observers in 1999. I also intend to invite the Conference to consider, in an informal plenary, the draft agenda for the 1999 session. Thereafter, we shall resume the plenary meeting in order to formalize any agreement reached at the informal plenary.

I should like to inform you that the Secretary-General of the United Nations has sent me a communication transmitting all the resolutions on disarmament and international security matters adopted by the General Assembly at its fifty-third session, including those addressing specific requests to the Conference. This communication has been distributed by the secretariat and is now before you in document CD/1561.

I now invite the Under-Secretary of State for Foreign Affairs of Italy, Her Excellency Senator Patrizia Toia, to address the Conference.

Ms. TOIA (Italy) (translated from French): Mr. President, first of all I wish to congratulate you, as the representative of a country with which Italy maintains the most friendly relations, on taking up the post of President of the Conference, and to convey to you my best wishes in this difficult task. I would also like to thank Ambassador Vladimir Petrovsky, Secretary-General of the Conference and Personal Representative of the Secretary-General of the United Nations, as well as the Deputy Secretary-General, Mr. Abdelkader Bensmail, for their valuable contribution and their determined commitment to ensure the efficient functioning of this important international forum. And I would also like to welcome the presence of the Under-Secretary-General of the United Nations, Mr. Jayantha Dhanapala, whose devotion to the cause of disarmament is appreciated by us all.

The Italian Government attaches the greatest importance to problems of disarmament and non-proliferation, which are fundamental elements of its security policy. This is why I wished to participate in person in the opening of the 1999 session of the Conference. Two years ago, on 21 January 1997,

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Mr. Lamberto Dini, the Minister for Foreign Affairs, was present at the opening meeting, and four years ago Ambassador Walter Gardini, the Under-Secretary of State for Foreign Affairs, made a statement at the beginning of the session at the time when Italy was taking the Chair of the Conference. The periodic and regular presence in Geneva of a representative of the Italian Government proves, if proof were needed, the interest with which the activities of this important institution are followed in Rome, and the great attention given to its deliberations with the intention of helping to overcome the differences of opinion which are natural, one might say normal, in such sensitive sectors. Yet the development of constructive initiatives is likely to be blocked if they are accompanied by basic prejudices fuelled by antagonistic positions which are outdated and inacceptable.

The Italian Government considers that the Conference must first of all maintain and even strengthen its role as a multilateral negotiating forum, consolidating its vocation to conclude universal agreements. Its influence and its prestige arise from the fact that it has always responded to the need for security expressed by the international community. I am referring, in the recent past, to the important disarmament and non-proliferation agreements resulting from the work of all the delegations participating in the activities of the Conference, such as the Convention for the Prohibition of Chemical Weapons and the Comprehensive Nuclear Test-Ban Treaty. For this reason we are in favour of more extensive participation by the countries interested in disarmament problems as a guarantee of better international representation in this institution. In this spirit we support the admission to the Conference of the countries of the European Union which have applied for membership. We feel that the Conference on Disarmament is an essential and central part of a broader architecture which, in the United Nations and its principal organs, can benefit from appropriate machinery to take up disarmament issues as a whole, with a democratic approach and in a way consistent with international legal norms.

Italy considers that arms control and reduction also has a regional dimension, and that certain problems connected with disarmament and non-proliferation can be settled in the geopolitical context where they arise. On this subject, I should like to recall the experience of the European countries. Europe, which after the Second World War lived in a state of tension and confrontation for several decades, has been able not only to develop machinery to build security and mutual trust, but also to conclude arms control and disarmament agreements which have substantially lowered the level of military equipment in the region. I am referring to the Treaty on Conventional Forces in Europe and the Dayton agreements. I would also like to mention the activities of OSCE, the Organization for Security and Cooperation in Europe, which provides a security framework for all European States on an equal footing; the development of a common foreign affairs and security policy by the European Union, which gives particular attention to disarmament and non-proliferation; and I would particularly like to underline the progressive affirmation of the concept of a European defence and security identity which

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offers Italy the possibility of pursuing the objectives of peacekeeping and the development of international cooperation, both within the Western European Union and in the Atlantic Alliance.

I would now like to look more closely at the issues relating to the Conference's spheres of competence and set out our positions on the subject. Above all I hope that the Conference will be able immediately to adopt its programme of work, the tool which enables it to use its potential to the full as the single multilateral disarmament negotiating forum, and thus arrive at international agreements capable of strengthening international security. The rules of procedure of the Conference are sufficiently flexible to enable extensive conceptual debate to take place. However, these debates should not reduce the possibility of starting negotiations on projects which are ripe to be transposed into legally binding international instruments.

In this regard, the Italian Government very warmly welcomed the decision adopted last August to start negotiations on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. For the same reasons, as a follow-up to the 1998 session, we request the immediate re-establishment of the Ad Hoc Committee and the resumption of negotiations in an atmosphere of increased global and regional confidence on the basis of the report of the Special Coordinator, and the mandate contained therein. While we are aware of the difficulties awaiting us, we are confident that the Conference will be able to make rapid progress towards the achievement of an agreement of vital interest so that the nuclear disarmament process can be intensified, become irreversible and lead to the elimination of nuclear arsenals. My Government also welcomed with satisfaction the renewed undertakings by the nuclear countries to pursue the aim of nuclear disarmament to which they are committed under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons. In this respect, Italy expects a courageous and determined follow-up.

The intensification and the irreversibility of the nuclear disarmament process are objectives traditionally pursued by Italy, with a view to the final objective of the elimination of these weapons. In the past the Government of my country has given practical support to this process by assuming specific responsibilities in the framework of the negotiations which led to the prohibition and destruction of all intermediate-range nuclear missiles. Today, the Italian Government continues to support the efforts made in this area with the same determination, in line with the views of Italian public opinion and the Italian parliament, which adopted a resolution on this subject on 8 July 1998. Certain recent international events have backed us up in our perception that the disarmament process must be intensified and the non-proliferation regime strengthened by the accession of countries which have not yet signed the NPT and the Comprehensive Nuclear Test-Ban Treaty, if we are to achieve the common objective of the final elimination of nuclear weapons. I wish to take this opportunity to inform you that Italy has completed the constitutional procedure for the ratification of the Comprehensive Nuclear Test-Ban Treaty. The instrument of ratification will be lodged with the Secretary-General of the United Nations in the next few days.

Italy will exercise vigilance and will not fail to associate itself, particularly in this forum, with the specific and realistic initiatives aimed

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at speeding up the implementation of the plan of action for disarmament and nuclear non-proliferation contained in the document on "Principles and objectives" adopted by consensus in 1995 on the occasion of the Conference to Review and Extend the Treaty on the Non-Proliferation of Nuclear Weapons. The entry into force of the Comprehensive Nuclear Test-Ban Treaty, the beginning of negotiations on a treaty banning the production of fissile material, the exploitation of the momentum created by the START treaties on reduction of the arsenals of the two principal nuclear Powers, who may be joined in the future by the three other nuclear Powers, are the necessary elements of a mosaic which, once it has been completed, will coincide with the final objective of the elimination of nuclear arsenals.

We think that even when the Conference has committed itself to making progress in such difficult negotiations as those on the prohibition of the production of fissile material, it should find the necessary time and resources to tackle other important points, on the basis of an approach which will ensure a balance between nuclear and conventional issues. We are referring here to the re-establishment of the Ad Hoc Committee to negotiate effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. The subject of "negative security assurances" has been discussed at length in this institution. It is our wish that the Conference should go deeper into this subject with renewed energy, in order to identify a common denominator relating to the form and the substance of the problems, while responding to the questions which everybody here is familiar with, that is: who should provide the assurances and who should benefit from them? What should they consist of? How should they be provided?

Nor have we forgotten the issues of conventional weapons, whose excessive and uncontrolled accumulation involves destabilizing effects and constitutes a threat to peace and security, as was emphasized in many resolutions adopted by consensus or with an overwhelming majority by the fifty-third General Assembly of the United Nations. In this area, we consider that the experience of the Conference on Disarmament is an indispensable heritage which the international community cannot ignore in its search for adequate and effective measures. This applies to the serious problems raised by the accumulation of and illegal traffic in small arms and light weapons, on which there have been many initiatives taken by the international community, and to which the European Union attaches the greatest importance. This is also true for the more general subject of transparency in conventional weapons, where we consider the Conference can and must complete the valuable work accomplished by the Ad Hoc Committee established between the years 1992 and 1995, to define concrete measures likely to increase confidence amongst States and strengthen international security.

Still in the area of conventional weapons, the international community has managed to adopt an important instrument prohibiting a particularly insidious category - anti-personnel mines. The Ottawa Convention, which is the result of the joint efforts of parliaments, Governments and humanitarian organizations, will come into force on 1 March next. Italy is determined to participate fully in the Maputo Conference next May and is preparing to finalize the Convention ratification process. This is a complex procedure for us, because we have to harmonize the obligations set out in the Convention

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with the particularly restrictive norms of the legislative text adopted by the Italian parliament in October 1997, which is one of the most advanced in the world.

With its national legislation, the fruit of the particular sensitivity of the Italian parliament and Italian public opinion, Italy wished to demonstrate by example its commitment to the combat against these weapons and to contribute to the further development of international humanitarian law. In this context, our country has firmly resolved to work with the whole of the international community and to contribute to the continuing improvement of the global and coordinated strategy defined by the "Ottawa process" for the complete elimination of the scourge of anti-personnel mines. For Italy this strategy lays down the objective of universal participation in the Ottawa Convention, meanwhile providing for complementary measures, consistent with the high international standard set by the Convention, which could be negotiated in an ad hoc committee set up for this purpose by the Conference.

Regarding the subject of outer space, it is possible, we believe, to achieve a reasonable compromise between those who consider the present international regime sufficient to prevent an arms race in space and those who, on the contrary, believe that this regime needs to be strengthened. In this case too, in our opinion, a pragmatic approach is preferable in order to further the work accomplished in previous years by the Ad Hoc Committee set up by the Conference. This approach should concentrate, at least in an initial phase, on defining confidence-building and transparency measures likely to strengthen international security with respect to activities in space.

The beginning of the session represents the most solemn but also the most sensitive moment in the activities of this important forum. In any area of human activity, a good beginning is fundamental to achieve efficient results. I would like to assure you that the Italian Government will continue, as in the past, to follow the activities of the Conference very sensitively and very attentively, and to promote and support any initiative likely to ensure progress in the delicate area of disarmament.

I very much hope that, thanks to the realism, the pragmatism and the flexibility of the member States, the Conference will be able to adopt straight away a programme of work in keeping with the expectations of the international community, which would find it difficult to understand and tolerate more breaks and more periods for thought. We need constructive negotiations on subjects which are ripe for multilateral agreements. These subjects exist - we know that - and I hope we will be able to complete this task as soon as possible, with the meaningful progress that is expected by public opinion, our parliaments and our Governments.

The PRESIDENT: I thank the Under-Secretary of State for Foreign Affairs of Italy for her important statement and for the kind words addressed to the Chair. I give the floor to the representative of the United States of America, Mr. John Holum, Acting Under-Secretary of State for Arms Control and International Security Affairs and Director of the United States Arms Control and Disarmament Agency.

Mr. HOLUM (United States of America): I am pleased to once again have the honour to present to this body the views of the United States as you open your 1999 session. As is customary in such an address, I would like to express my pleasure at seeing the current chairman in that position. I do so with genuine enthusiasm, based on personal experience. Having worked closely with Ambassador Grey in various capacities over many years, I can assure you, you are in good hands.

Before I begin my own remarks, it is a pleasure for me to be able to deliver to the Conference on Disarmament a message from the President of the United States, Bill Clinton. His message is as follows:

> "As the Conference on Disarmament begins its work in the new year, I want to underline the strong commitment of the United States to prompt resumption of negotiations on the next key multilateral step in the nuclear disarmament process: a treaty to ban the production of fissile material for nuclear weapons or other nuclear explosive devices. Only your focused and energetic efforts can cap, for all time, the material basis of nuclear weapons, thereby complementing your success in concluding the Comprehensive Nuclear Test-Ban Treaty, and moving another step closer to the eventual goal of nuclear disarmament. Let us devote our mutual and full support to advancing substantially the fissile material cut-off treaty negotiation this year and to completing it at the earliest possible time. At the same time, the Conference should initiate negotiations on a ban on the transfer of anti-personnel landmines, an effort that will substantially broaden the web of constraints on these weapons. I pledge the full support of the United States to Ambassador Grey and our delegation, in particular in fulfilling their responsibilities as President of the Conference in the session's opening weeks."

As foreshadowed by President Clinton's message, my comments today will focus on the negotiation of a fissile material cut-off treaty (or FMCT). How the Conference handles this issue will affect its future role as well as the future of multilateral arms control. Successful conclusion of an FMCT would bring us a large step closer to a world in which the risks and roles of nuclear weapons are further diminished, and toward our ultimate aim, the elimination of these weapons.

The CD is now poised to begin FMCT negotiations. We urge you to do so without delay. The sooner you re-establish the Ad Hoc Committee and get down to work, the sooner we will realize this long-sought objective of the international community.

The unanimous support for the cut-off resolution by the United Nations First Committee last fall underscores the continued importance the international community places on these negotiations. As recognized in the 1995 "Principles and objectives" document, the FMCT is the next practical step to be taken in multilateral arms control, and will also move the nuclear-weapon States one step farther along the road toward nuclear disarmament, in accordance with their commitments under article VI of the NPT.

What would the FMCT accomplish? How would it promote our goals?

(Mr. Holum, United States)

A cut-off treaty would create a legal, verifiable ban on the further production of the fissile materials for nuclear weapons. By imposing a finite ceiling on the amount of material for nuclear weapons, we also help cement in place a ceiling on the world's nuclear arsenals.

Sceptics may argue that the cut-off is too modest, the nuclear-weapon States have more than enough fissile material, and have halted its production in any event. But this argument is based on the faulty assumption that the current informal state of affairs is locked into place. Who can say that the international political and strategic situation will not reverse itself, creating new incentives for the nuclear-weapon States to re-embark on the production of nuclear material?

The CD can transform wishful thinking into reality. But to ensure that, we must act now, when all States are prepared to negotiate this treaty. The CD's strength and its value lies in the fact that you craft treaties and establish global norms that endure for the long term.

Just as important, the FMCT will prohibit the production of fissile material for nuclear explosives by States not party to the NPT. This, too, would be a major achievement. It would also open to strict monitoring and verification the production facilities of all States not now subject to such monitoring, and it would be a stabilizing influence in otherwise unstable regions.

An FMCT would help produce a climate conducive to continued, long-term progress on reducing nuclear weapons and nuclear weapons material. Looking beyond START III negotiations, it seems clear to us that the prospects for negotiating deeper reductions would be enhanced if we have in place a dependable cap on fissile material for weapons, as well as confidence that the international community would detect illegal production.

An FMCT also would help make nuclear arms reductions irreversible. The United States and Russia currently are pursuing verifiable means to dispose of fissile material from nuclear weapons material stockpiles and dismantled warheads, and to put such material under safeguards. These efforts will have even greater impact if unmonitored production of fissile material is banned.

But let us be frank. Reaching agreement on the benefits of an FMCT is easy. The challenge before us is to reach agreement on the myriad of issues involved in this complex, multilateral treaty. Many issues are highly technical, many require excruciating attention to detail, and most importantly, many involve delicate political and national security concerns. The Conference on Disarmament has confronted comparable challenges in the past, most recently in its negotiation of the CTBT, and has demonstrated its ability to surmount them. The United States is optimistic that, in an atmosphere of mutual respect and constructive negotiations, the CD will again prove its value by concluding an FMCT. The first obviously indispensable step is to get started promptly.

(Mr. Holum, United States)

I would like to address two key treaty elements, scope and verification, on which there will undoubtedly be a variety of positions. I will lay out United States views on these two issues and hope that other States do likewise so that we can proceed to work to narrow our differences.

Related to the scope of the treaty, let me make clear at the outset that the United States understand and shares the widespread concerns about effectively managing and irreversibly reducing existing stocks. We are taking important steps in this regard on our own, bilaterally with Russia, and on a trilateral basis with IAEA.

The United States and Russia have each declared hundreds of tons of fissile material in excess of defence needs. We are putting excess plutonium under international safeguards and IAEA is verifying the down-blending of high-enriched uranium. In cooperation with IAEA, we and Russia are working to ensure that such stocks will never again be used in weapons. We also have agreements with Russia to blend down excess high-enriched uranium for use in civil power reactors, to convert old production reactors, to construct storage facilities for weapons material and to dispose of excess plutonium. The cut-off will complement and enhance the prospects for success in each of these initiatives.

But the cut-off itself cannot be a vehicle for addressing existing stocks. The United States position is well-known - we will not agree to any restrictions on existing stocks in a cut-off treaty. The many initiatives just described provide the best means to deal with existing stocks issues.

We also note that several other key States also strongly oppose the inclusion of existing stocks. To be sure, various proposals for addressing existing stocks have been suggested, but it is hard to see how any could command consensus. Where we can find common ground is on a treaty that targets future production.

It is unrealistic to hope that a multilateral, non-discriminatory treaty where all parties are to be treated equally can directly reduce perceived regional or bilateral disparities. The United States and Russian initiatives demonstrate that at this stage bilateral efforts are an effective way to address perceived imbalances.

I also note that including existing stocks could have consequences that most of us would find troublesome. To include existing stocks in any way, even if just declarations of existing military stockpiles, could legally codify and recognize the right to have such stocks - legitimizing the nuclear-weapons programmes of States outside the NPT that made such declarations.

Likewise, the United States firmly believes that the proposal to place all military stocks under comprehensive safeguards is also unrealistic and beyond the scope of the mandate.

As with any negotiations, we must be realistic and aim for what can be achieved. We have all agreed, in accepting the Shannon mandate, in last year's United Nations First Committee resolution, and in the mandate to

(Mr. Holum, United States)

establish the Ad Hoc Committee last year, that the cut-off should ban the production of fissile material for nuclear weapons or other nuclear explosive devices. That is what we can achieve. That is what the market will bear. Let us negotiate expeditiously such a treaty. We believe it is in all of our interests to do so.

In addition to establishing the basic scope of the treaty, we must consider how to verify that States are complying with the treaty's basic obligations. As the mandate directs, the treaty will have to be effectively verifiable. Different States likely will interpret those words differently.

It will be up to you to reach agreement on how much verification is required and where to strike a balance between verification intrusiveness and protection of sensitive information. CD precedent tells us you will achieve this difficult task. But it will be a challenging one that merits considerable and sustained attention from the outset.

The mandate also says that the treaty should be non-discriminatory. The United States considers this a key provision and would not accept any arrangements that established new or special categories of countries. Also, as I have already emphasized, it should prohibit only the new production of fissile material for nuclear explosive devices. Thus, the treaty's verification provisions should focus on material produced after the treaty's cut-off date.

From these principles of verification, let me turn to specifics.

In our view, the verification regime should consist of routine monitoring and inspections, using widely applied standards and procedures and, where appropriate, standards and procedures tailored to the objectives of the treaty and the kinds of facilities involved. The regime should routinely monitor all enrichment and reprocessing facilities, as well as all so-called downstream facilities - that is, those that use, process or store newly produced material - when such material is present. It should also cover all newly produced fissile material.

Following the example of other arms control agreements, an FMCT should also include non-routine inspections with detailed managed access provisions. Managed access and possibly other mechanisms for declared and undeclared facilities and other locations will need to ensure effective verification without compromising sensitive national security information or providing information that could assist potential proliferation.

We believe that IAEA should have FMCT verification responsibilities. But lest this cause confusion, let me make clear that we believe an FMCT will complement, not replace or seek to replicate, the NPT. It could not replace a document that is, in a word, irreplaceable - and vital to the security of all peoples.

The FMCT will comprise its own unique set of obligations involving some States that have produced unsafeguarded fissile material and may very well have such material on hand. Unlike the NPT, which imposes upon States an absolute prohibition against nuclear weapons for non-nuclear-weapons States

(Mr. Holum, United States)

and a comprehensive safeguards regime appropriate for that objective, the FMCT seeks to ensure that there will be no further production of fissile material for explosive purposes.

The verification regime should be tailored to reflect the uniqueness of this treaty. We believe that the most efficient way to do that is to bring all enrichment and reprocessing facilities, as well as all newly produced fissile material, under international verification and monitoring for all time. Thus, any fissile material that is enriched or reprocessed after the cut-off date would be subject to the treaty. That will be the legacy of the FMCT and that is a legacy well worth accomplishing.

I am honoured to have appeared before this Conference at what we all expect to be the launching of the next major multilateral negotiation on the road to the elimination of nuclear weapons. The road may be rough in places, but hard work, dedication and a willingness to find accommodation will bring us a valuable and effective treaty that will make the world a safer place. Let us get down to work.

The PRESIDENT: I thank the representative of the United States of America for his statement and for the kind words addressed to the Chair. I give the floor to the representative of Romania, Ambassador Ioan Maxim.

Mr. MAXIM (Romania): Mr. President, allow me, at the outset, to congratulate you most sincerely on your assumption of the important office of President of the Conference on Disarmament. We are entering a new, challenging session which will place its burden above all on its first President's shoulders. But I am sure that your diplomatic skill, perseverance and grain of humour, coupled with the imagination and hard work of your team will soon bring tangible progress towards a smooth start to CD proceedings. Also an asset is the very competent and devoted secretariat, to which I would like to pay a tribute of appreciation and wish every success in this 1999 session. Please remain assured of my delegation's full support as you discharge your important duties of President, in the spirit of the maturing strategic partnership between the United States and Romania.

Let me also express appreciation for your predecessor the Ambassador of the United Kingdom's job well done, and address a warm welcome to our new colleagues who have joined us recently in the Conference.

As the world approaches a new millennium the signs of time are mixed. Hope dovetails with anxiety at this fin de siècle. We witness the course towards democracy, human rights and liberal economy encompassing the planet. A democratizing international society increases the overall sense of security and stability since democracies do not go to war one against another. The world has been given a historic chance to build international structures able to develop relations among States in adherence to the fundamental principles of undiminished security for all, dispute resolution by peaceful means, cooperation, transparency and openness, as well as allegiance to arms control and confidence-building measures. The shrinkage of United States and Russian nuclear arsenals, the transformation of the Nuclear Non-Proliferation Treaty into a permanent instrument in 1995, the agreement on the long-sought Comprehensive Test-Ban Treaty in 1996, the entry into force of the Chemical

(Mr. Maxim, Romania)

Weapons Convention and the forthcoming entry into force of the Ottawa Convention banning anti-personnel landmines, indicate that the overall security threat is on a downward course.

Yet the picture also includes a different, less gratifying aspect. Non-traditional threats are rising: terrorism, ethnic conflict, organized crime, drug trafficking, as well as the merger of explosive population growth and poverty that breeds economic stagnation and political instability. This enumeration is by no means exhaustive as it does not include one of the fiercest risks to the very existence of mankind, i.e. the proliferation of weapons of mass destruction and their means of delivery. Today, according to a shrewd analysis by Richard Betts, "the weapons of mass destruction present more and different things to worry about than during the cold war ... There is less danger of complete annihilation, but more danger of mass destruction ... there is less chance of an apocalyptic exchange of many thousands of weapons. But the probability that some smaller number of weapons of mass destruction be used is growing". And that probability stems mainly from proliferation.

1997 was, at the CD, the year of reflection. Fresh ideas, approaches and proposals were examined as the Conference attempted to define its new raison d'être after the successful conclusion of the Comprehensive Test Ban Treaty, itself a milestone on the road against proliferation.

1998 was the year of decision when previous exploratory discussions and reciprocal acquaintance with each other's positions made possible the creation of the Ad Hoc Committee mandated to negotiate an FMCT.

1999 should be the year of action. If we truly want the Conference on Disarmament to live up to its responsibilities as the sole multilateral negotiating body on disarmament and international security, let us focus our work here on halting the proliferation of weapons of mass destruction, in particular nuclear weapons. Let us start today the negotiations on a fissile material cut-off treaty! I hope that a decision in this respect will be adopted by the Conference along with its agenda. It is crucially important that member States make use of the propitious opportunity created last August, give up sterile linkages, avoid entanglements and quarrels, and commence overdue work. Romania fully supports the re-establishment of the Ad Hoc Committee on FMCT and stands ready to participate in the negotiations. For my Government this is the first priority of our activity this year at the CD.

Now, I would like to share with you some of Romania's basic views and positions concerning the upcoming negotiations. Non-nuclear-weapon States which, like Romania, do not produce fissile materials for military purposes have great stakes in the future FMCT. Consistent with the mandate contained in document CD/1547, the treaty should prohibit the production of fissile material for nuclear weapons or other nuclear explosive devices after a "cut-off" date to be agreed upon. That clearly refers to future production, not past production, although the question of past production and resulting stocks of fissile material could be raised. The treaty should not aim at prohibiting the production of fissile material for civil or non-explosive military uses, such as naval propulsion. The second basic undertaking which we expect the FMCT to include refers to the verification mechanism. It should

(Mr. Maxim, Romania)

provide for detailed accounts of the fissile material produced after the "cut-off" date; safeguards against the use of this material for nuclear-weapon purposes; timely and effective detention of any diversion of fissile material produced after the "cut-off" date, as well as of any undeclared enrichment or reprocessing after that date. At this stage we see IAEA as the best-suited agency for carrying out verification under the future FMCT.

As a matter of principle, the commitments enshrined in the treaty will have to be non-discriminatory. We shall not get, at the end of the day, a fair and viable FMCT with different sets of objectives and undertakings for different States: those who are recognized nuclear Powers; those who possess nuclear weapons but are not recognized as nuclear Powers; those having the capacity to produce fissile materials but no intention of building nuclear weapons; and those who do not fit into the above classification.

The treaty is intended to cap the amount of fissile material available for explosive military purposes not only in nuclear-weapon States, but also in those States which currently have unsafeguarded enrichment or reprocessing plants. It will thus contribute to consolidate the conditions under which the process of nuclear disarmament can broaden, will constrain the opportunities of vertical proliferation, and help prevent any future resumption of the nuclear arms race. According to the documents of the NPT Review and Extension Conference endorsed by consensus by more than 180 States less than four years ago, the FMCT constitutes the next step in the ongoing process of nuclear disarmament after the completion of the Comprehensive Test-Ban Treaty. My Government continue to see the FMCT that way as far as the multilateral framework is concerned.

The other substantive issue my country would like to see negotiated within the CD's current session refers to anti-personnel landmines. Romania is a signatory to the "Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction". The conclusion of this instrument not only stands out as a humanitarian achievement, but also brings to fruition an important arms control and disarmament measure. Notwithstanding these considerations, we should not hold on to its fulfilment only in the framework of like-minded States, but venture beyond it by reaching those countries which still rely on APLs to enhance their military capabilities. This is why, in Romania's considered view, the success of the "Ottawa Process" should stimulate discussions on the APLs issue with the Conference on Disarmament, which would provide wider involvement, enabling broader implementation of its final product. The Conference on Disarmament is a forum with large representation and valuable expertise, within which participate countries with significant mine-producing capabilities, States in regions of tension, as well as States where APLs are still being retained as a military option. We therefore see complementarity, not conflict between the Ottawa Convention and the CD's work on landmines.

In this spirit, Romania maintains that an appropriate step could be the re-appointment of a Special Coordinator on landmines, entrusted with building upon the accomplishments so far and preparing the ground for the rapid

(Mr. Maxim, Romania)

establishment of an ad hoc committee to launch substantive negotiations in this field. The first goal of such negotiations could be a worldwide ban on the export of APLs, which Romania believes is entirely feasible for the CD to achieve and in line with the objective of making the "Ottawa regime" universal.

Apart from our priorities for the 1999 session, my delegation stands ready to participate in the debate concerning other aspects of interest on the agenda. Thus, for instance, we would welcome the resumption of the CD's work on the issue of transparency in armaments, a matter that has, unfortunately, for too long evaded the Conference, despite the fact that conventional weapons inflict so great a toll in conflicts and human sufferings worldwide. Yet an encouraging change was recorded last year, with the appointment of a Special Coordinator on TIA. Reiterated at the current session, this exercise could, within a reasonable time, produce more concrete results, such as the establishment of an ad hoc committee on TIA with a simple mandate of a deliberative nature. The committee will have a chance to look closely at various proposals, select those matured for debate, and prepare the ground for concrete negotiations at a later stage. Among the topics that deserve consideration within that framework, there is the idea of a "code of conduct" in conventional arms transfer. Romania is proud to have introduced within the CD, an official proposal in this respect, together with a draft code, under the symbol CD/1257. Such an instrument is intended to bring about restraint and responsibility both of exporters and recipients. It also envisages equal and undiminished security of States at the lowest levels of armaments. Basic principles of conduct, criteria to be followed in considering arms transfers or for avoiding transfers, respectively, as well as an appropriate mechanism of data sharing and consultations, should be equally examined when discussing an international instrument of this kind.

Romania also favours starting concrete work on negative security assurances, the prevention of an arms race in outer space, as well as other topics of interest to delegations around this table. Procedural issues, such as the agenda, improved and effective functioning, and membership, could be dealt with to the general benefit of the CD, its relevance and efficiency.

Some 67 years ago the illustrious Romanian diplomat Nicolae Titulescu, with his impressive foresight, said in Geneva that "the conference on disarmament will be the cornerstone of understanding among nations". At the dawn of a new millennium his words continue to resonate as this congregation is confronted with ever-challenging tasks, making understanding a spirit of compromise, mutual respect, but also boldness and imagination among its members, even more imperative in order to accomplish them.

The PRESIDENT: I thank the representative of Romania for his statement and for the kind words addressed to the Chair. I give the floor to the representative of Peru, Ambassador Jorge Voto-Bernales.

Mr. VOTO-BERNALES (Peru) (translated from Spanish): Mr. President, allow me to express the warm satisfaction of my delegation at the fact that it has fallen to you to lead the work of the Conference on Disarmament during its current session. I am convinced that your ability and dynamism will be key factors in the constructive pursuit of our work. The delegation of Peru would

(Mr. Voto-Bernales, Peru)

like to pledge to you as of now the fullest possible collaboration and cooperation in the delicate and important job you have to do. I should also like to thank Ambassador Vladimir Petrovsky, the Secretary-General of the Conference and Personal Representative of the United Nations Secretary-General and the Deputy Secretary-General, Mr. Abdelkader Bensmail, for their diligent and tireless efforts to ensure the effectiveness and proper running of the Conference.

The current session of the Conference on Disarmament is taking place at an especially significant juncture. The emergence of nuclear weapons in the closing stages of the Second World War and their subsequent development in the context of the cold war made the twentieth century the century of the nuclear threat. Today this century is coming to an end. And the nuclear threat persists. The current session of the Conference will be the last one to be held in the twentieth century. This fact is not only one of historical significance. Clear and definite. It also carries a connotation that has to do with the ethical dimension of human life. The advent of a new millennium places mankind before a quandary of profound significance. Shall we turn the twenty-first century into an arena of continuing threat and the nuclear arms race? Or will the international community take up the responsibility of turning the new century into an arena that will allow, sooner rather than later, the elimination of the nuclear threat? The eradication of all nuclear arsenals? The end of the greatest danger that human beings have ever accumulated against their own existence and survival?

The great technological and scientific progress of this century has had contrasting effects: extraordinary consequences to extend, sustain and improve human life, and on the other hand the use of this same knowledge to manufacture weapons of mass destruction. These should be the subject of our most decisive and resolute action for their complete elimination as soon as possible. This is no rhetorical question. These are simply the terms of reference whereby the nuclear issue should be addressed within the current international context. Either we opt for the survival of the doctrines and strategies of nuclear deterrence anchored in the existence of nuclear power or we responsibly address the characteristics of the new international system and opt for the total and complete eradication of nuclear arsenals and the end of their production and deployment. This is the real and concrete quandary that the international community must respond to.

The current session of the Conference on Disarmament has the virtue of contrasting the daily elements of its work with the structural and historical dimension involved in the advent of a new millennium. A responsible approach to these challenges requires us to address comprehensively the various international negotiating processes in the field of disarmament. It is a complex task which is in harmony with the interests of the entire international community. This sense of responsibility also entails the need to safeguard the viability of nuclear disarmament in all phases of the process, preserving at all times the requirements of security of the system, bilaterally as well as regionally and multilaterally.

For Peru, a developing country, a member of the first zone of nuclear non-proliferation set up in the world, the exercise of this responsibility presupposes a balanced approach. Disarmament, and nuclear disarmament in

(Mr. Voto-Bernales, Peru)

particular, affect the interests of all States. Hence we require an open-mindedness that will enable us to reconcile diverse and in many cases divergent interests. We have to combine our efforts and avoid selectivity. It is up to the Conference on Disarmament, at the current juncture, to adopt an approach of this kind in order to pave the way for renewed dynamism. During 1998 a crucial step was taken to this end. The agreement to begin negotiations designed to secure a treaty eliminating and prohibiting the production of fissile material for nuclear weapons and other nuclear explosive devices certainly constitutes a token of political will which is positive and constructive. The setting up of an ad hoc committee to carry these negotiations out is also an initiative that Peru has backed, aware of the meaningful importance and urgency of the outcome. However, this important commitment is part of a larger effort that must necessarily be comprehensive and must encompass all pending processes. From essential issues pertaining to the implementation of the Treaty on Further Reduction and Limitation of Strategic Offensive Arms (Start II) and the negotiations on Start III, the effective implementation of the Non-Proliferation Treaty, to the creation of new denuclearized zones, especially. And that larger effort has nuclear disarmament as one of its essential components. It is an imperative of contemporary international relations that States possessing nuclear weapons and those that have the ability to produce them should begin an irreversible process for their total and complete elimination.

Measures involving the limitation of nuclear-weapon arsenals, selective or limited nuclear disarmament, and non-proliferation agreements, have been and are, obviously, highly valuable positive actions and measures. But they are necessarily temporary and provisional in nature, even though we recognize the vast complexity of the process. They cannot replace or substitute for the only effective guarantee that mankind has against the nuclear threat: the elimination and banning of all existing nuclear weapons and their delivery systems. This observation constitutes in turn the conceptual and practical principle that should guide the entire process designed to establish a nuclear-weapon-free world. If we accept this principle, nuclear disarmament measures cannot turn into an end in themselves but rather into transit stops on the path to total and complete nuclear disarmament. We should not stabilize in time a situation in which the struggle against nuclear weapons is maintained, indefinitely, on the basis of the management of existing nuclear arsenals.

The real elements of the new international situation indicate that, if specific commitments are not entered into for the total eradication of nuclear weapons, the risk of proliferation and even of a nuclear accident will always be a real possibility. In that regard, Peru maintains that there is a need to invest the nuclear disarmament process with greater credibility. It is necessary for the nuclear Powers to commit themselves directly to this objective and assume specific obligations to eliminate vertical proliferation. It is necessary to remove non-strategic nuclear weapons from their current locations and to avoid any type of scientific and technological cooperation that, directly or indirectly, might encourage or contribute to horizontal proliferation. States with a nuclear capability should also contribute to this process by ceasing all types of activity designed to develop or deploy nuclear weapons, acceding to the Treaty on the Non-Proliferation of Nuclear Weapons and renouncing the nuclear option. All the same, it is a paradox that

(Mr. Voto-Bernales, Peru)

in 1998, the year of the fiftieth anniversary of the Universal Declaration of Human Rights, mankind has had to confront nuclear tests coming from two States that are neighbours. Given this situation, it is essential for all States that have not yet done so to sign and/or ratify the Comprehensive Nuclear Test-Ban Treaty, especially those with a nuclear capability.

The United Nations General Assembly has responded to these events. This and only this is the purpose of resolution 53/77 X, co-sponsored by a large number of countries, including Peru, positing the need for a new programme for a world free of nuclear weapons. The General Assembly has also reiterated its request to the Conference on Disarmament to establish an ad hoc committee on nuclear disarmament at this session. This committee should begin negotiations in 1999 on a phased programme of nuclear disarmament to eliminate these weapons once and for all within a set time-frame. The delegation of Peru believes that this decision should be adopted by the Conference. To that end it believes that an open-minded approach to reconciling the various positions is the most pragmatic and surest way. On the opening day of the Conference a specific initiative was presented to this end. My Government considers that this initiative forms a constructive basis for negotiations. The path of flexibility and understanding among all the parties should open up promising prospects for the creation of the ad hoc committee. At the same time, for the global process of nuclear disarmament to acquire greater credibility and sustainability, it will also be necessary to have a multilateral, universal and legally binding instrument granting non-nuclear States negative security assurances. That is to say, a formal and specific commitment on the part of the nuclear-weapon States that they will not use or threaten to use nuclear weapons against countries which do not possess them.

The international security and disarmament agenda, as well as the programme of work of this session of the Conference, also includes other priority areas such as the efforts being made by the international community to eradicate anti-personnel mines. A positive sign in the recent development of issues relating to international security was the signature of the Convention on the prohibition of anti-personnel landmines in December 1977. The entry into force of this legal instrument, planned for March this year, will give the international community a proper legal regime to deploy all possible efforts to remove or destroy the hundreds of thousands of mines deployed in all regions of the world. The delegation of Peru urges the States that have not yet done so to accede to the Convention. The entry into force of the Convention will make it possible to implement the commitment that never, under any circumstances, should States use anti-personnel mines, develop, produce, acquire, stockpile, retain or transfer them; that they should proceed to destroy the stockpiles of all anti-personnel mines at the latest within a four-year time-frame, and those deployed in mined zones within a period of no longer than 10 years; and that they should boost international cooperation, without any undue restrictions, for mine clearance and the care and rehabilitation of victims. Consequently, Peru backs any initiatives to be set in motion within the Conference on Disarmament for the purpose of strengthening the international regime for a complete ban on anti-personnel mines.

(Mr. Voto-Bernales, Peru)

Within the spirit of the Convention, and in order to strengthen mutual trust following the final peace treaty signed in Brasilia in October 1998, Peru and Ecuador have agreed on the removal and destruction of all anti-personnel mines placed along their border. We are convinced that the international community will make a decisive contribution and cooperate to support this mine clearance programme. We thank those countries that have pledged financial contributions for the achievement of this purpose, such as Canada, Japan and Spain.

Disarmament and security concern all States. A democratic vision of international relations likewise requires the broadest possible participation in processes of consultation and negotiation on the subject of disarmament. For this reason Peru has always supported the possibility of open accession to the Conference on Disarmament. We are aware that this purpose will be achieved only progressively. But at the same time, we consider that the expansion of the membership of the Conference constitutes a positive and constructive factor. Hence we fully back the entry of Ecuador, Ireland, Malaysia, Kazakhstan and Tunisia as fully-fledged members of the Conference at this session.

Mr. President, the challenges offered by the new millennium will certainly be an occasion for global and forward-looking analyses of disarmament and national security. But above and beyond their relevance, it is essential also for this to be expressed in the more concrete and specific questions at the current session. The delegation of Peru harbours the hope that at this session we shall positively resolve the handling of crucial items on our agenda, such as the item relating to the setting up of the ad hoc committee on nuclear disarmament. Your efforts in the Chair will, we are convinced, contribute to this common goal.

The PRESIDENT: I thank the representative of Peru for his statement and for the kind words addressed to the Chair. That concludes my list of speakers for today. Does any other delegation wish to take the floor?

I should like to inform you that further requests have been received from Albania, Angola, Armenia and the Libyan Arab Jamahiriya for participation in the work of the Conference as observers during 1999. With your agreement, I should like to invite the Conference to take a decision on these requests without considering them first at an informal plenary meeting. These requests are contained in document CD/WP.500, which is before you. May I take it that these requests are acceptable?

It was so decided.

The PRESIDENT: As I announced at the beginning of this meeting, I shall now suspend the plenary meeting and immediately convene an informal meeting to consider the draft agenda for the 1999 session.

The meeting was suspended at 11.25 a.m. and resumed at 11.33 a.m.

The PRESIDENT: The 809th plenary meeting is resumed.

In accordance with the agreement reached earlier at the informal plenary meeting, may I take it that the Conference decides to adopt for its 1999 session the same agenda as in 1998, which is before you?

It was so decided.

The PRESIDENT: This agenda will be issued as an official document of the Conference by the secretariat (CD/1562).

In connection with the adoption of the agenda, I, as President of the Conference, should like to state that it is my understanding that if there is a consensus in the Conference to deal with any issues, they could be dealt with within this agenda.

With the adoption of our annual agenda, the Conference is now ready to embark on its substantive work. Our immediate task now is to translate this agenda into a programme of work, and I will intensify consultations with a view to developing an overall approach to our work that would adequately reflect the goals and interests of all delegations. It is my sincere hope that in this process the complex and balanced compromises reached at the end of last year will be taken fully into account, and that all opportunities will be used to further enlarge the areas of consensus.

This concludes our business for today. Does any other delegation wish to take the floor at this stage?

The next plenary meeting of the Conference will be held on Tuesday, 26 January 1999, at 10 a.m. As you are aware, at that plenary meeting the Secretary-General of the United Nations, Mr. Kofi Annan, will address the Conference, and I would therefore kindly request you all to be present at 10 a.m.

The meeting rose at 11.35 a.m.